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FEDERAL ASSISTANCE REVIEW

PROJECT No. 3

ADMINISTRATIVE AND LEGAL CONSTRAINTS REMOVED

Feb. 1971

I. INTRODUCTION

Under the Federal Assistance Review Program a Department-wide project was initiated to "Remove Unnecessary Departmental and Agency Administrative Constraints."

A total of 86 external constraints were identified to the FAR Staff. Of these, 48 were imposed by department regulations, 28 by USDA agency regulations, 6 by other federal agencies, and 4 by law. These constraints were referred to appropriate staff offices of the Department for review and appropriate action.

As a result of staff offices' actions, 39 constraints were removed, 29 were continued for good reason, and 18 are still being considered. In several instances, misunderstandings or erroneous interpretations of regulations were cleared up.

The constraints have been grouped by subject matter. The action taken on each constraint is summarized in Parts I through VIII of the following report. If the action taken is considered to be inadequate, let the FAR Staff know.

In addition to the external constraints, agencies were also asked to review their internal regulations or procedures and report accomplishments to the FAR Staff. Summaries of agency accomplishments are reported in Part IX of the following report.

Edward J. Seidel
USDA Federal Assistance Review Staff

I. CONCLUSIONS

Under the Federal Employees Dealing Act, there is a mandatory-duty system established by Bureau Administrative Employees and Agency Administrative Contractors.

A total of 50 separate contractors were identified in the FY 2000. Of these, 21 were imposed by department regulations, 29 by OCDA agency regulations, 1 by other Federal agencies, and 4 by laws. These contractors were referred to appropriate staff offices in the Department for review and appropriate action.

As a result of audit officers' actions, 32 contractors were changed, 19 were terminated for good reason, and 10 are still being considered. In several instances, alternative-contracting or erroneous interpretations of regulations were cleared up.

The contractors have been provided to audit staff. The action taken on each contractor is summarized in Part 2 through Part 4 of the following report. If the action taken is considered to be inadequate, let the IGA staff know.

In addition to the internal consultant, agencies have been asked to review their internal regulations or procedures and report accomplishments to the IGA staff. Examples of agency accomplishments are reported in Part 5 of the following report.

I. PERSONNEL

No.	Subject	Agency	Decision of Office of Personnel
1.*	Agency must submit written justification in support of proposed classification of Admin. Offcr. (GS-341) positions at GS-11, 12 & 13 for analysis and prior concurrence.	FS, FHA	Revised guidelines will be developed and issued which will reduce the number of these cases.
2.*	Prior approval of GS-14 & 15, and Staff Office clearance of Key positions.	FHA, ERS, C&MS, ARS, FS, SCS	We are developing a new system for handling Key positions with the objective of eliminating the prior approval of individual actions in most cases. The Office of the Secretary has a significant interest in positions. This proposed new system will be presented to the Secretary's Office for consideration.
3.	Police checks required as part of preemployment suitability determinations.	ERS	This constraint will not be changed. The high incidence of the employment of individuals with serious criminal records and the fact that the Interagency Board of Examiners stopped making police inquiries prior to certifying individuals for possible employment cause this requirement to be imposed. These have not changed to any substantial degree to permit consideration of the elimination of this requirement. In addition, experience indicates that employees who falsify regarding arrests are seldom removed as a result thereof and there is a correlation between falsification of applications for employment and subsequent misconduct.
3a.	OP prior approval before hiring persons with certain employments, criminal records, and conduct background.	FS	Personnel Letter No. 731-1 was issued January 29, 1970, to eliminate prior approval for temporary appointees.
4.	Required time interval of 2 years between cash awards and 3 years between quality increases.	C&MS	Effective November 20, 1969, regulations in AG 531 were revised to permit annual quality increases. Regulations in AG 451 are not intended to restrict granting cash awards in two consecutive years but to assure consideration for a quality increase.

Subject	Agency
Agency must submit written justification in support of proposed classification of Admin. Offcr. (GS-14) positions at GS-11, 12 & 13 for analysis and prior concurrence.	FS, FNA
Prior approval of GS-14 & 15, and Staff Office classes of Key positions.	FNA, FAS, CSRS, ARS, FS, SCS
Police checks required as part of preemployment suitability determinations.	FAS
GS police approval before hiring persons with certain equipment, criminal records, and conduct background.	FS
Required time interval of 2 years between grade awards and 3 years between quality increases.	CSRS

Problem of Office of Personnel

Devices guidelines will be developed and issued which will reduce the number of these cases.

We are developing a new system for handling key positions with the objective of eliminating the prior approval of individual actions in most cases. The Office of the Secretary has a significant interest in policies. This proposed new system will be presented to the Secretary's office for consideration.

This committee will not be charged. The high incidence of the employment of individuals with criminal records and the fact that the Investigator Board of Inspectors stopped making police inquiries prior to certifying individuals for possible employment, cause this requirement to be imposed. These have not changed to any substantial degree to permit consideration of the elimination of this requirement. In addition, experience indicates that employees who fatally regarding arrests are rather rounded as a result thereof and there is a correlation between falsification of applications for employment and subsequent misconduct.

Personnel Letter No. 771-1 was issued January 24, 1970, to eliminate prior approval for temporary appointees.

Effective November 23, 1970, regulations in AC 531 were revised to permit annual quality increases. Regulations in AC 531 are not designed to restrict granting each merit in two consecutive years but to ensure consideration for a quality increase.

No.	Subject	Agency	Decision of Office of Personnel
5.	Loyalty checks on non-Federal training organizations. Security clearance should be good for more than 6 months.	SCS	This loyalty check is required by law and the CSC and not OP. Security clearance under DPM regulations is good for 1 year.
6.	Prior approval of acceptance of contributions in connection with outside training.	SCS	A recent revision of DPM Chapter 410 delegated this authority to the agencies.
7a &b.	Prior approval of cash awards for GS-14 and up.	SCS, FS	This requirement will be retained.
8.	Performance rating procedural requirements. Effectiveness has largely been supplanted by the Salary Reform Act of 1962, Incentives Awards Act, and Adverse Action regulations. Remaining requirements inhibit supervisor-employee review and discussion of performance because of requirement of conformance to a strict procedural approach. The main purpose of process tends to become one of conforming to procedural requirements rather than a free discussion and review of performance.	SCS	For several years the Department has submitted to the CSC in response to requests for legislative proposals to improve personnel administration our recommendations for the abolishment of the Performance Rating Act of 1950. The CSC does not intend to seek abolishment of the Act at this time. However, it has established a special study group which will recommend some changes in the regulations which will eliminate some of the burdensome procedural requirements.
8a.[1/]	Authority to defer performance ratings is limited to Agency Head.	FS	DMP Chapter 430 was amended December 23, 1969, to permit redelegation of this authority to Heads of each office having delegated employment authority.
9.	Restriction ($100-$350) on amount of Cash Award that can be granted for special achievement.	SCS	This restriction is set by CSC and not OP. The Department opposed this restriction. Since it was imposed on July 1, 1969, CSC felt it was inappropriate to make a change so soon, but plans to have this scale reviewed periodically by an LAG Committee.

No.	Subject	Agency	
5.	Loyalty checks on non-Federal training organizations. Security clearance should be good for more than 6 months.	GCS	
6.	Prior approval of acceptance of contributions in connection with outside training.	SCS	
7a	Prior approval of cash awards for GS-14 and up.	SCS, FS	
8b.	Performance rating procedures requirements. Effectiveness has largely been supplanted by the Salary Reform Act of 1962, Incentives Awards Act, and Adverse Action regulations. Requiring terminate inhibit supervisor-employee review and discussion of performance because of requirement of conformance to a strict procedural approach. The main purpose of process tends to become one of conforming to procedural requirements rather than a free discussion and review of performance.	GCS	
8a.	Authority to defer performance tasings is limited to Agency Head.	FS	
9.	Restriction (§100-1120) on amount of Cash Award that can be granted for special achievements.	SCS	

No.	Subject	Agency	
10.	Delegation of Office of Personnel		
	This loyalty check is required by law and the CSC and our Security Clearance under DOD regulations is good for 1 year.		
	A recent revision of DOD Chapter 430 delegated this responsibility to the operator.		
	This requirement will be retained.		
	For several years the Department has submitted to the CSC in response to requests for legislative proposals to improve personnel administration our recommendations for the abolishment of the Performance Rating Act of 1950. The CSC does not intend to seek abolishment of the Act at this time. However, it has established a special study group which will recommend some changes in the regulations which will eliminate some of the burdensome procedural requirements.		
	CSC Chapter 430 was amended December 27, 1969, to permit redelegation of this authority to Heads of such offices having delegated employment authority.		
	This restriction is set by CSC and not GS. The Department opposed this restriction. Since it was imposed on July 1, 1969, CSC felt it was inappropriate to make a change so soon, but plans to have this area reviewed periodically by an IAC Committee.		

No.	Subject	Agency	Decision of Office of Personnel
10.	Limitation on amount of Cash Award an agency can approve ($1,500).	FS	This amount has been raised to $2,500.
11.	Quarterly reports on progress under Federal Women's program. Should be changed to semi-annual to be consistent with other EEO reports.	SCS	This frequency of reports is set by CSC and not OP. This has been called to the attention of CSC and it is our understanding they are considering a change. Until such time as they do, quarterly reports will be required.
12.*	Prior approval of unit recognition and agreements under EO 10988.	ARS, FS	DPM Chapter 711 is being revised pursuant to the new E.O. on Labor-Management. These revised regulations will delegate authority for unit recognition with an appeal through the Office of Personnel to the Department of Labor, but agreements will continue to be subject to OP prior approval.
13.1/	Prohibition re establishing "ai" supervisory positions.	FS	DPM 312 was amended, December 3, 1967, to eliminate this prohibition.
14.	Grade stacking prohibition.	FS	This applies only to GS-15.
15.	Prohibition of redelegation of class., employment, and adverse action authority by other than Agency Head.	FS	FS has been authorized by memo of January 23, 1970, to permit redelegation of employment, class., and adverse action authority by Regional Foresters.
16.	Reporting first aid cases on Form AD-135.	FS	This requirement will be eliminated as soon as Form AD-278 and the ADP system of safety data are implemented.
17.1/	Prior approval to use paid advertising in recruiting.	FS	DPM 332 was amended, December 23, 1969, to provide for delegation of this authority under an approved annual plan of action.
18.	Requirement to send OPF, SF-171, and AD-67 on prior approval cases.	FS	The OPF is needed for security clearance purposes. The SF-171 and AD-67 are needed for review of employment or classification proposals. Therefore, all three will continue to be required.

No.	Subject	Agency	Decision of Office of Personnel
19.	Review of Medical Officer on agency initiated disability retirements and other separations involving fitness.	FS	These actions are very sensitive and have many ramifications that if not handled properly can cause a great deal of difficulty. Contact with the Department Medical Officer can be made by phone, so we can see no basis for a contention of delay. This requirement will not be changed.
20.	OP action on results of full field investigation of CGC employees.	FS	The constraint will not be changed.
21.	OP must make or arrange all contacts with CSC on retirement coverage and policy.	FS	Questions of retirement coverage and policy on individual cases could have Department-wide impact and only the Office of Personnel can determine that. This constraint will not be changed.
22.	Employee who works 25 years or more must receive a letter of appreciation upon retiring.	FS	This constraint will not be changed. Additional means of recognizing the employees service may also be used.
23.	Post audit of adverse action materials.	FS	This provides OP with a means for obtaining information regarding the volume and nature of disciplinary problems. It serves as a training device for agencies. It provides an opportunity to spot actions clearly contrary to Department or CSC regulations. This constraint will not be changed.
23a.*	Department is appellate level of appeals involving 6 to 30 day suspensions.	FS	DPM 771 will be revised to include appeals of 6 to 30 day suspensions under grievance procedures.
23b.	Prior approval of adverse actions at GS-14 and up.	FS	Cases involving such employees are normally of concern to the Office of the Secretary. Congressional interest frequently occurs in such cases and, generally speaking, this is best dealt with at the Departmental level. This constraint will not be changed.

No.	Subject	Agency	Decision of Office of Personnel
24.[1/]	Prior approval of employment of GS-14 and 15 at higher than first step.	ARS	DPM Chapter 277 was amended, December 23, 1969, to abolish this requirement.
25.	Prior approval of BEC for medical treatment on other than injury or accident cases.	FS	BEC has rejected the Department's request for relief from this requirement. Copy of letter attached. This constraint will remain.
26.	Prior approval of less than $10 per diem for full-time training.	FS	This requirement is necessary to maintain a uniform rate per location throughout the Department. This constraint will not be changed.

Attachment

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* When final action is taken, agencies will be notified.

1/ See DPM Amendment 108.

II. OFFICE OF INFORMATION

No.	Subject	Agency	Decision of Office of Information
1.	All visual work must be handled through Office of Information. Agencies cannot even deal with private companies. Agency claims duplication of effort.	FS	Centralization assures conformance with policy. Decentralization would create duplication.
2.	Agency must use OI personnel to obtain visual services. Agency claims OI personnel limited. Special talents frequently needed, not available.	SCS	Centralization assures conformance with policy. Decentralization would create duplication.
3.	Prohibition against credits on photographs or illustrations. Credits needed to stimulate interest and effort.	SCS	Regulation formerly a requirement of Congressional Joint Committee on Printing. Still kept by OI primarily because need standards for credits on all creative work. Employees receive incentive through government salaries higher than those outside government.
4.	OI approval required for employment of visual specialists.	SCS	Approval requirement assures best possible individuals employed when necessary.
5.	Agency objects to need for OI (and sometimes Joint Committee on Printing) approval before duplicating and related equipment can be obtained. Agencies specifically objecting to request for varityper turned down by OI.	SRS	Requirement based on JCP Regulations. Current regulation "provides a most workable and economic procedure." Department has been commended by JCP. Rejection of varityper based on inadequate justification.
6.	Commercial printing must be procured through GPO. Results in complicating the procurement process by a "middle-man". Suggest built-in term contract similar to Federal Supply schedules	C&MS	"JCP feels these procedures are necessary in the interest of order and economy." IO found several cases where agencies dealt directly with contractors and paid three times the price. Specification for printing more technical than other procurement specifications.

No.	Subject	Agency	Decision of Office of Information
6. (continued)			
	for direct-agency use. Specifications on printing are not more technical than other procurement specifications.		
7.	Field Offices duplicating limited to 5,000 single pages or 25,000 total pages on multiple page jobs.	SRS	Based on JCP Regulation although agencies can request a waiver.
8.	Same as above. Agency points out that where duplicating facilities are already established, this requirement results in increased overhead and administrative expense. Suggests agencies be authorized to exercise judgment.	C&MS	If JCP limitation was eliminated, equipment would be used improperly and large backlogs would result from overloading. Regulation is not really meant to be inflexible when there is a clear need to exceed the limit in meeting deadlines and other emergencies. Suggest P&O make study to see if JCP Regulations are too restrictive.
9.	JCP limitation on printing in Department's Printing Plant (120,000 impressions) slows down completion, creates paperwork and raises costs. Frequently interim supplies must be run in Plant thus duplicating start-up costs when balance is handled through GPO.	C&MS	Plant limitation based on JCP guidelines. Larger runs permitted when justified by agencies. Sometimes Plant work done outside to break backlog resulting from long-run work. Not unusual to get faster delivery from contractors than from Plant. Not correct to say additional paperwork since OI forms easier than P&O form. "To provide greater service, the Plant would need to submit a justification to OI and to JCP for approval for additional equipment."

No.	Subject	Agency	Decision of Office of Information
10.	OI requires that all printed matter be delivered to OI platform and OI will re-deliver to only one point resulting in extra handling and delays. Similar problems not encountered in other purchasing.	C&MS	Constraint statement not entirely correct - deliveries handled differently sometimes. Lack of facilities and manpower does not permit fragmented deliveries. New procedures under study.
11.	Agency required to submit lists of meetings to Visitors Center. Agency objects to monthly report and particularly including in-service meetings.	FS	Agency no longer required to report. New procedure since November 10, 1969 provides that Visitors Center calls agency in order to compile listing.
12.	Mid-year report of Publication Control Program.	C&MS	Constraint removed. A mid-year report of the Publication Control Program is no longer required.

III. OFFICE OF PLANT AND OPERATIONS

No.	Subject	Agency	Decision of Office of Plant and Operations
1.	APMR 104-18.5003 requires Departmental approval for administrative sites acquired by FS having a total fair market value of $5,000. This value should be raised to $10,000.	FS	The cost limit on land is too low in view of the current market values and will be raised to $10,000.
2.	GSA has not made staff available to update Occupancy Guides of 1962 for what is now C&MS, causing extra paperwork, needless cost, and delay and hampering of programs because of lack of acceptable guide.	C&MS	Occupany Guides are still in use throughout Government. GSA, who has responsibility to update guides and makeup for new agencies, have stated they have never turned down a request. P&D has no record of such a request from a USDA agency or to GSA, and agencies wishing to do so should make a formal request to OP&O and should indicate at that time the staff available to work with GSA and OP&O.
3.	Limitation of one year leasing authority should be removed in interest of economy in space rental costs as it is becoming increasingly difficult to acquire space for short tenure at competitive prices and within Economy Act rental limitations.	C&MS	The Administrator of GSA is the only one who may delegate term leasing authority to other Government agencies. He will delegate leasing authority for special purpose space. We now have blanket authority established for a number of categories in this area. We will contact the Administrator of GSA and request 3-5 year term leasing authority in small communities in non-urban areas.
3b.	Congressional limitation requires establishing 15% of fair market value of premises to be leased when annual rental will exceed $2,000. This was set in 1932.	C&MS SCS	This was established by law and discussions with GSA indicate it has no plans at this time to request an increase. We agree an amendment to present law is desirable and will contact the Administrator of GSA regarding the inclusion of this in his legislative program.
4.	Leasing of space in GSA urban areas should be modified to permit agencies to acquire own space after GSA has determined that Federally	C&MS SCS	No further action at this time because of lack of documentation of any problems. GSA maintains it has a mandate to do the leasing and the staff to do it.

No.	Subject	Agency	Decision of Office of Plant and Operations
4. (continued)			
	controlled space is not available in order to eliminate delays in or hampering of programs.		
5.	Approval should be delegated to Administrator of GSA for transfer of excess Federal lands suitable for National Forest purposes having a total appraised market value of $100,000 or more, instead of having GSA secure concurrence of BOB as now required.	FS	GSA feels BOB will not permit transfer of real property having an appraised fair market value of $100,000 or more without BOB approval. BOB approach is that they are exercising authority to review agencies' programs. As of 1-30-70 is under consideration by BOB on an informal basis with OP&O.
6 7 13.	Procurement limitations on supplies, materials, furniture and equipment and moratorium on filing cabinets. Acquisition of new furniture and typewriters is limited to requirements caused by increases in present employment constituting total agency need, or when to avoid impairment of program, or when to effect space reductions sufficient to offset cost of items to be acquired. Procurement of items stocked in GSA Supply Depots is required from that source regardless of ability of Supply Depot to make delivery in reasonable period of time, except in case of public urgency. Multiple award FSS contracts require agencies to purchase brand or make of item with lowest delivered price unless ordering agency fully justifies	C&MS	This one constraint consists of several individual constraints. Each will be handled separately. We will continue evaluation upon receipt of requested additional information from the reporting agency.

No.	Subject	Agency	Decision of Office of Plant and Operations
6 7 13.	(continued) purchase of higher priced item. The restriction on procuring any type of new or used filing cabinet is imposed by Presidential directive and implemented by GSA and the Department.		
8.	GSA limitations on styles and types of Class A executive office furniture. Agencies want furniture in keeping with today's standards and trends.	C&MS	OP&O does not consider the reported constraint to be valid. Although FSS FSC Group 71, Part VI is schedule for traditional executive office furniture which is heavy and bulky, Parts VIII and XII of same schedule and furniture available from Federal Prison Industries, Inc., are sources for executive office furniture of modern design.
9.	Restriction of authority to sell Government-owned personal property.	SCS	(More information required from SCS.)
10 11 12.	C&MS is allowed only two digits on FEDSTRIP requisitions to identify the fund to be charged. C&MS has three digit accounting code and are thinking of using five digits under a cost center accounting system.	C&MS	Agencies are not limited to two digits on FEDSTRIP requisitions to identify the fund to be charged. The originator of a FEDSTRIP requisition is required to enter a fund code in card columns 52 and 53 of each requisition. The originator has the option of using a project code in card columns 57 through 59. The combination of card columns 52, 53 and 57 through 59 allows C&MS to show the five digit accounting codes on their FEDSTRIP requisitions, and C&MS is checking into the feasibility of using this combination in its accounting system.

No.	Subject	Agency	Decision of Office of Plant and Operations
13.	Exemption of participation in GSA Motor Pools would result in considerable savings.	SCS	The Department favors withdrawal of SCS from participating in Interagency Motor Pools in all cases where vehicles are permanently assigned or there is no demonstrated economy to the Government. USDA has appealed GSA Administrator's determinations on behalf of SCS. Latest action -- Letter of 12/12/69 to Commissioner of Transportation & Communications Service, GSA, requesting exemption of SCS from IMP participation and for transfer of assigned vehicles to SCS.
14.	Restrictions on year-end procurement.	ARS	This has to do with an arbitrary cutoff date set in our regulations for the opening of bids (1) for construction May 15; (2) for supplies June 15. Exceptions are required to be justified in the file. This will be changed to indicate these are dates by which agencies should plan to open bids.
15.	Dollar Limitation - Contracting Authority. AGPR 4-1.4 requires agencies to obtain concurrence of Director, OP&O for delegation of contract authority within their agency.	C&MS	AGPR 4-1.4 will be modified so agencies that have adequate policies and controls for selecting, designating and terminating designations of contracting officers will have authority to delegate procurement contract authority within their agency.
16.	Restriction of field offices to $50 or less for services not available from GSA.	OIG SRS	OMS will provide for further delegation of authority.

IV. OFFICE OF THE GENERAL COUNSEL

No.	Subject	Agency	Decision of the General Counsel
1	Prohibition of the transfer of equipment from one private school to another in the Nonfood Assistance Program.	FNS	The language of the statutory provision of the Child Nutrition Act lends itself to an interpretation that the equipment may be used by nonprofit private schools as a class and that only after it can no longer be used in the program by such schools generally shall it revert to the United States.
2.	Subpena of employee or records requires Washington OGC approval. Field offices of OGC could approve quicker.	FS	The constraint will be continued because of Department of Justice requirements.
3.	Reporting of fiscal liability cases requires Washington OGC determination. OGC field offices could expedite.	FS	The constraint will be continued because all cases involving civil and criminal irregularities by Department employees are handled by OGC in Washington.
4.	Requiring Office of the General Counsel to clear rules pursuant to market agreements and/or orders.	C&MS	Constraint removed. Thus 200 marketing agreements will not have to be sent through OGC for clearance.
5.	Requiring Office of the General Counsel to clear budget and rate of assessment dockets for marketing agreement and order programs.	C&MS	Constraint removed. Thus 75 additional dockets per year will not have to be sent through OGC for clearance.
6.	Required to report all identical bids to the Department of Justice. In our opinion this reporting no longer serves a useful purpose.	C&MS	A letter asking that this constraint be removed was sent to Edward M. Shulman, General Counsel, Office of the General Counsel, (Department of Justice liaison), January 28, 1970.

V. OFFICE OF BUDGET AND FINANCE

No.	Subject	Agency	Decision of Office of Budget and Finance
1.	Request to Treasury for bond of indemnity is restricted to agency head.	FHA	Treasury Department advises that delegation may be authorized as long as we do not do so to field officials. Title VII is being advised accordingly.
2.	Approval of foreign travel.	C&MS ARS FS	A proposal was submitted on May 5, 1969, by Office of Budget and Finance to the Office of the Secretary for changes which would simplify the procedure and still meet the essential needs of the Secretary's Office. This proposal is still pending.
3.	Restrictions on authority to redelegate certain travel authorizations (approval of superior accommodations, per diem for illness in excess of 14 days, and travel of non-Government persons).	FS	This Office agrees that agency heads should be permitted to redelegate authority to approve the use of superior accommodations in accordance with the Standardized Government Regulations and to approve per diem for illness in excess of 14 days. However, it is our belief that travel by non-Government persons is such a sensitive matter that agency heads or acting agency heads should be personally aware of such travel. We believe this provision should be retained.
4.	Restriction on actual subsistence reimbursement to non-Government persons.	FS	The Department regulations on per diem, which were approved by the Program and Budget Review Committee in November, 1969, provided that non-Government persons traveling on Government business shall receive $25 a day. These regulations also provide that authority to pay actual expenses should be approved by the Director of Finance. The majority of non-Government persons traveling are consultants and members of advisory committees. There is a need for consistency to the maximum extent possible across agency lines in the USDA. For this reason this requirement should be retained.

V. OFFICE OF BUDGET AND FINANCE

No.	Subject	Agency	Decision of Office of Budget and Finance
5.	Approval of work for other agencies where full cost will not be recovered.	FS	This constraint applies to agreements between an agency of this Department and another Government agency which would involve Department appropriations bearing a part of the cost of the work performed for the other Government agency. This requirement is not unreasonable and involves such sensitive relationships with appropriations committees that it should be retained.
6.	Clearance of details to the Office of the Secretary.	FS	This requirement was instituted by the Office of the Secretary in order to document for the record all details of personnel to the Office of the Secretary, the White House or elsewhere. Such information was previously conveyed by telephone. As a result accurate reports were not available. This requirement should be continued. However, a review will be made promptly to see whether the existing procedure can be simplified.
7.	Excessive reporting requirements on committees.	FS	The major problem here is that the Forest Service has chosen to submit their report as of June 30 each year by the use of Form AD-241. The June 30 report may be submitted as a simple list of committees rather than making the detailed report. We are suggesting that the Forest Service revise their procedure. The Budget Bureau has asked us to consider revisions in BOB Circular A-63 dealing with committee reports. As a part of this revision we will work out arrangements whereby all committee reports will be submitted at one time.

V. OFFICE OF BUDGET AND FINANCE

No.	Subject	Agency	Decision of Office of Budget and Finance
8.	Approval of agreements with other agencies involving new types of service or large amounts.	FS	This requirement in 6 AR 326 is the only means by which the the Secretary's Office can be informed in advance of proposed agreements between agencies which would involve the receipt of significant amounts of funds from other sources. This is an essential aspect of the financial management responsibilities. This Office must have knowledge of such items so that the Secretary's Office and the appropriations committees can be informed.
9.	Personnel ceilings.	FS	This requirement should be continued. This is a requirement of the President and is the principal means by which Federal employment is held down. This requirement should be continued.
10.	Requiring Departmental approval for travel to Canada or Mexico to attend "Common Interest Meeting."	C&MS	An amendment to clearance procedure is now under consideration in the Office of Budget and Finance.

VI. NATIONAL AGRICULTURAL LIBRARY

No.	Subject	Agency	Decision of National Agricultural Library
1.	Reports of scientific and technical information of the Federal Council for Science and Technical Information. Agency submits reports but it never finds anything included in the one-page summary for the whole Department.	C&MS	Chairman of COSATI has advised that they will be happy to have lengthy reports for their records. However, it will be necessary to summarize information for publication purposes since their annual report presents accomplishments for all Federal agencies.

VII. OFFICE OF THE INSPECTOR GENERAL

No.	Subject	Agency	Decision of Office of Inspector General
1.	Agencies are required to refer all employee misconduct cases to OIG except certain "minor infractions, ..." Agencies could resolve many of these cases, thus expediting handling and avoid embarrassing the Department.	C&MS	This constraint will be continued as we believe complete objectivity can best be obtained in these cases through investigations by a disinterested and impartial agency.
2.	Cases of theft must be referred to OIG who, in turn, refers them to FBI. Agencies could refer cases directly to FBI, saving time.	FS	Inspector General Memorandum No. 12, Revised, dated July 24, 1969, provides for direct referrals to the FBI with concurrent advice to OIG.

VIII. OFFICE OF MANAGEMENT IMPROVEMENT

No.	Subject	Agency	Decision of Office of Management Improvement
1.	Quarterly Report on Communications and Services to the Public. Does not seem to serve a worthwhile purpose.	C&MS	This quarterly report has been cancelled by the Civil Service Commission. When OMI receives the CSC directive, a Secretary's Memorandum will be issued covering these decisions.
2.	Clearance and reports - ADP services. Should be revised to eliminate overlapping and repetitive reporting.	C&MS FS	Agrees that the requirements of outside agencies for these reports are not consolidated to a degree that is possible and indicates that studies are underway in GSA and BOB which may help. Meanwhile, OMI will review requirements to see if they can make them better understood in the Department.
3.	Mandatory use of Federal Information Code Standards. This requires redesign of present systems around a code instead of the use of codes to fit the system.	SRS	Same as No. 2 above.

IX.

USDA Agencies Action on Internal Constraints

Agency	Constraints	Accomplishments
ASCS	See Accomplishments	About 25 internal constraints were reported by selected states and Washington offices. The fields covered were: (1) employment ceilings and authority; (2) per diem and travel allowances; (3) meetings and travel authority; (4) procedures and handbooks; (5) administrative services, and (6) some general constraints reported are necessary. Accordingly, we will take action to eliminate the following internal constraints: 1. State offices will be permitted to purchase typewriters where justified. 2. Program releases will be forwarded on a more timely basis to the offices.
CEA	1. Disclosing CEA Information to Exchange officials. Only the Administration had the the authority. It caused difficulties because Exchange officials could take action promptly against a problem trader or firm.	By his memorandum of January 12, 1970, the Administrator redelegated his authority to the Regional Directors.
	2. Authority to issued subpoenas was restricted to administrator.	By memorandum of January 13, 1970, the Administrator asked the OGC to revise the delegation of authority for subpoenas to permit redelegation.

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
C&MS	<u>Personnel Action</u>	
	Unable to enforce misconduct and unsatisfactory work performance regulations. Some procedures in C&MS Instructions not enforceable.	Taking action to revise instructions. The revised instruction in agency clearance.
	<u>Training</u>	
	Requiring Personnel Division Director's prior approval (up to 80 hours) for outside (non-government) training.	Proposed instruction will redelegate to Division and Staff Directors the authority to approve up to 80 hours of in-service or out-service training.
	Requiring Personnel Division Director's prior approval (80-800 hours) for outside (non-government) training.	Personnel Division is considering alternative organizational arrangements and delegations of responsibility below the Division Director level.
	<u>Instructions and Guidance Documents</u>	
	Terminology used in MICAP (Meat Inspection Career Appraisal Program) is cumbersome and confusing.	Constraint removed. Revised MICAP is not cumbersome and confusing.
	Too much paperwork required of Consumer Protection personnel.	Thorough review of reporting requirements being carried out with objective of simplifying reports process.
	<u>Work Measurement</u>	
	Cumbersome and confusing terminology used in work measurement procedures in Consumer Protection Programs.	Proposal is being prepared to establish in simplified terms work standards units. Will be available to field personnel in simplified form.

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
C&MS cont'd.	<u>Non-Use of Available Data</u>	
	Information requested of field offices by Consumer Protection Regional Offices when information already available in Regional Office.	Organizational structure change will reduce, if not eliminate, such queries. In interim, focal point established for queries to Regional Offices to help diminish such queries.
	<u>Personnel Actions</u>	
	Schedule A authorities with salary and/or time limitation used in C&MS provide different limitations for poultry food inspectors than for those to inspect meat.	Will correct this situation as soon as have agreement on revised Food Inspector series and approval of qualification standards for Food Inspector positions.
	<u>Procurement</u>	
	Clearance must be obtained from Field Operations Branch, Administrative Services Division, for services costing $50 or more.	Removed - Pertinent Instruction permits the Field Operations Branch to delegate special authorities to field offices. Complainant notified of delegation possibility.
FHA	See accomplishments	The National Office staff of Farmers Home Administration has been restructured to enable the agency to adapt more effectively to changes in program emphasis now taking place and scheduled for the future. All agricultural-type loans have been placed under the supervision of an Assistant Administrator, Farmer Programs. The rural housing program has been elevated to major organizational rank under an Assistant Administrator, Rural Housing. Community facility are to be supervised by a new Assistant Administrator, and the former Assistant Administrator, and the former Assistant Administrator, Rural Development position is replaced by an Assistant Administrator, Special Projects, to handle rural development, OEO activities, and other selected functions.

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
FHA cont'd.	See accomplishments	A corresponding realignment of State Office staffs is now in progress. Delegation of Personnel Management and Staffing Responsibilities to State Directors. In order to decentralize our control of staffing state and county offices, we have delegated to State Directors full authority to assign, transfer and promote to all positions within each state office jurisdiction, in accordance with established qualification standards, staffing criteria, and authorized manpower ceilings. This action removes these controls from the National Office to the State Office. Establishment of Loan Specialist Position in County Office. Recognizing the change in many areas from agriculture-type loans to nonfarm loans and grants, Farmers Home Administration will establish a standard position of loan specialist supervisor to handle nonfarm-type business in localities where rural employees can be fully occupied. This position will generally parallel our long established farm management specialist supervisor position. A survey is now in progress to determine how many such positions may be needed. We believe it will provide a much larger group of applicants from which to select for employment and at the same time increase total skills available to the agency. Implementation of Financial Management Program. Farmers Home Administration is commencing the implementation of a Financial Management Program which will ultimately enable the agency to capture

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
FHA Cont'd.	See accomplishments	more precise cost figures in accordance with standardized accounting procedures. The system will also result in delegating more fiscal and budgeting responsibilities to our State Directors. The agency is now recruiting a qualified accountant to head up this activity. Marketing Insured Notes. Organization of a large syndicate of leading investment banking firms to market an initial issue of $350,000,000 insured FHA notes not only inaugurated an entirely new marketing technique for this kind of investment, but greatly simplified the problem of continuous funding of current programs by providing easier access to major investors. Delegation of Association Loan and Grant Approval Authority to State Directors. Procedural revisions are now being processed which will make further delegations to State Directors of approval authority relating to both loans and grants for such purposes as water and waste disposal and comprehensive area planning. Delegation of Rural Rental Housing Loan Approval to Selected State Directors. Delegations to selected State Directors, based on accumulated experience, are being made to approve rural rental housing loans. As more field experience is accumulated, it is expected that such authority will ultimately be delegated to all State Directors. Authorizing County Supervisors to Approve Loans on Properties they Appraise. An improved service to rural housing applicants has resulted from recent authority granted to qualified County Supervisor Appraisers to also approve loans on nonfarm properties they have appraised.

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
FHA Cont'd.	See accomplishments	Upgrading of County Office Clerical Positions Because of the increased complexity of county office clerical duties, Farmers Home Administration has provided for upgrading many of these positions as they meet the qualifications on an individual basis. This action will reduce the turnover in these positions and facilitiate the recruitment of new employees. Establishment of Construction Inspector Positions Because of the frequency of inspections required and the complexity of many construction projects financed by Farmers Home Administration, better service has been provided borrowers by establishing Construction Inspector positions have been allocated. Approximately 250 are presently employed. These positions are filled by temporary appointments.
FNS	See accomplishments	I. No. of reports received regarding possible administrative constraints. II. No. of responses received to date from divisions: a. Action has taken place or will take place to remove restraint. b. Action rejected, restraint will not be removed. c. Restraint remove still under investigation. d. Nature of restraint not understood, clarification and more information needed. III. Information on remove of restraints still not received from division.

Agency	Constraints	Accomplishments
FS	See accomplishments	To meet the objective of placing decision-making authority at the lowest feasible level, the Forest Service conducted a service-wide review of existing delegations of authority and internal constraints. All delegations of authority were checked against the following criteria to determine if improvements in practices could be made: -- competence of employees -- coordination requirements -- size of programs -- staffing and skills available -- tools to do the job In order to accomplish the service-wide review, the Forest Service policy on delegating, along with related procedures and practices was first thoroughly examined and clarified. Directives involved in these areas are being revised. A comprehensive review of delegations of authority was then made by the Washington office to determine if the delegations were proper or if further delegation to lower levels was feasible. A few delegations were identified through this preliminary review and were modified to permit delegations to field offices. A complete summary of Forest Service delegations was then prepared. This summary included over 800 elements. This summary was sent to Regional Offices, Experiment Stations, and Area Offices for critical review. A copy of the summary with accompanyine letter of transmittal is attached for your information. Each unit was requested to review delegations withheld by the Chief or higher level for adequacy and make recommendations on those felt unnecessarily restrictive. The units were also instructed to review delegations and constraining procedures and practices within their own units and make whatever changes needed to placed authority for decision-making at the lowest feasible level. All Regional offices, Stations, and Area offices have or are identifying their own unnecessary constraints or restrictive

USDA Agencies Action on Internal Constraints cont'd.

Agency	Constraints	Accomplishments
FS Cont'd.	See accomplishments	delegations and will be modifying their directives to reflect the change of authority where necessary. Recommendations to the WO from the units concerning unduly restrictive delegationsor unnecessary constraints were catalogued by divisional responsibility and discussed with the Washington office divisions concerned. The field units commented on about 15 percent of the 800 elements listed in the summary. Many of the comments, however, were due to misinterpretation of instructions in the directives system. All directive materials causing confusion in the field were then reviewed and those instructions actually needing clarification are now or will be rewritten shortly. Through discussion with the appropriate Washington office division we were able to identify several specific delegations or constraints recommended by field units as needing improvement and for which changes should be made. Directive material covering these items is now or will be processed soon. There were other delegations or constraints identified by units as needing improvement but these will need further analysis in relation to principles of delegation before definite decisions can be made as to their applicability. We expect that after further study some of these will be modified. The elements under consideration will be monitored to assure adequate follow-up action.

Agencies Action on Internal Controls Com'd.

Agency	Constraints	Accomplishments
FS Com'd.	See accomplishments	